

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

21-06875 BKMFR01
BROCK & SCOTT, PLLC
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Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Freedom Mortgage Corporation

In Re:

LORNA J. ROBERTS



Order Filed on January 26, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 19-25800-VFP

Hearing Date: November 16,
2023

Judge: VINCENT F.
PAPALIA

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: January 26, 2024

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Applicant: Freedom Mortgage Corporation
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC
Debtor's Counsel: Michael G. Boyd, Esquire
Property Involved ("Collateral"): 104 North 2nd Street, Paterson, NJ 07522

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 44 months, from April 1, 2020 to November 1, 2023.

☒ The Debtor is overdue for 5 payments at \$2,855.90 per month, for 12 payments at \$3,046.21 per month, for 12 payments at \$2,971.89 per month, for 3 payments at \$3,401.59 per month, for 12 payments at \$3,331.85 per month.

☐ The Debtor is assessed for _____ late charges at \$ _____ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

☒ There is currently \$1,888.85 being held in Debtor's suspense account.

Total Arrearages Due: \$134,794.82

2. Debtor must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____.

☒ Beginning on December 1, 2023, regular monthly mortgage payments in the amount of \$3,773.46 shall resume.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☒ The amount of \$134,794.82 shall be capitalized in the Debtor's remaining Chapter 13 Plan payments. Debtor shall file a Modified Plan within fifteen (15) days of entry of this Order.

3. Payments to the Applicant shall be made to the following address:

☐ Immediate payment:

☒ Regular monthly payment:

Freedom Mortgage / Attn: Bankruptcy
Department, 10500 Kincaid Drive, Fishers, IN
46037

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to amend the Chapter 13 Plan within fifteen (15) days from the entry of this Order by the Court, or fails to make any regular monthly mortgage payment/Adequate Protection Payment within thirty (30) days of the date it becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.

In re:
Lorna J. Roberts
Debtor

Case No. 19-25800-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 26, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2024:

Recip ID	Recipient Name and Address
db	+ Lorna J. Roberts, 104 North 2nd Street, Paterson, NJ 07522-1808

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 28, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 26, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Matthew K. Fissel	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com matthew.fissel@brockandscott.com
Michael G. Boyd	on behalf of Debtor Lorna J. Roberts michaelboydlaw@gmail.com desireevjanica@gmail.com
Phillip Andrew Raymond	on behalf of Creditor Home Point Financial Corporation phillip.raymond@mccalla.com mccallaecf@ecf.courtdrive.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Jan 26, 2024

Form ID: pdf903

Total Noticed: 1

R. A. Lebron

on behalf of Creditor HOME POINT FINANCIAL CORPORATION bankruptcy@fskslaw.com

Shauna M Deluca

on behalf of Creditor HOME POINT FINANCIAL CORPORATION sdeluca@hasbanilight.com hllawpc@gmail.com

Shauna M Deluca

on behalf of Creditor Home Point Financial Corporation sdeluca@hasbanilight.com hllawpc@gmail.com

Sindi Mncina

on behalf of Creditor Home Point Financial Corporation smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William M. E. Powers, III

on behalf of Creditor Freedom Mortgage Corporation ecf@powerskirm.com

William M.E. Powers

on behalf of Creditor Freedom Mortgage Corporation ecf@powerskirm.com

TOTAL: 13